

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NATIONAL WILDLIFE REFUGE ASSOCIATION,
et al.,

Plaintiffs,

v.

Case No. 3:21-cv-00096-wmc
(lead)

RURAL UTILITIES SERVICE, et al.,

Federal Defendants,

AMERICAN TRANSMISSION COMPANY, LLC,
et al.,

Intervenor-Defendants.

NATIONAL WILDLIFE REFUGE ASSOCIATION,
et al.,

Plaintiffs,

v.

Case No. 3:21-cv-00306-wmc
(consol.)

U.S. ARMY CORPS OF ENGINEERS, et al.,

Federal Defendants,

AMERICAN TRANSMISSION COMPANY, LLC,
et al.,

Intervenor-Defendants.

FEDERAL DEFENDANTS' NOTICE OF APPEAL

PLEASE TAKE NOTICE that all Federal Defendants in Case No. 3:21-cv-00096-wmc (Rural Utilities Service; Christopher McLean, in his official capacity as Acting Administrator, Rural Utilities Service; United States Fish and Wildlife Service; Charles Wooley, in his official capacity as Midwest Regional Director; and Sabrina Chandler, in her official capacity as Manager, Upper Mississippi River National Wildlife and Fish Refuge) and all Federal Defendants in Case No. 3:21-cv-00306-wmc (United States Army Corps of Engineers;

Lieutenant General Scott A. Spellmon, in his official capacity as Chief of Engineers and Commanding General for the Corps; Colonel Jesse T. Curry,¹ in his official capacity as Commander and District Engineer, Corps Rock Island District; and Colonel Karl Jansen, in his official capacity as Commander and District Engineer, Corps St. Paul District), through undersigned counsel of record, hereby appeal to the United States Court of Appeals for the Seventh Circuit from the District Court's March 1, 2022 "Final Judgment" (ECF No. 195), the District Court's "Amended Final Judgment" (ECF No. 203), and the District Court's January 14, 2022 "Opinion and Order" (ECF No. 175) underlying final judgment.

Dated: April 29, 2022

Respectfully submitted,

TODD KIM
Assistant Attorney General
U.S. Department of Justice
Environment & Natural Resources Division

/s/ Jacob D. Ecker
JACOB D. ECKER (TX Bar No. 24097643)
ANDREW A. SMITH (NM Bar No. 8341)
DEVON LEA FLANAGAN (DC Bar No. 1022195)
MIRANDA M. JENSEN (DC Bar No. 1617421)
P.O. Box 7611
Ben Franklin Station
Washington, DC 20044
jacob.ecker@usdoj.gov | (202) 305-0466
andrew.smith@usdoj.gov | (505) 224-1468
miranda.jensen@usdoj.gov | (202) 598-3071
devon.flanagan@usdoj.gov | (202) 305-0201

Attorneys for Federal Defendants

¹ Pursuant to Fed. R. Civ. P. 25(d), Colonel Jesse T. Curry is automatically substituted as a party in place of Colonel Steven Sattinger.